

12-20-01

PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. HO-P02086US1

First Inventor Dr. James R. Lupski

Title DEFECTS IN PERIAXIN ASSOCIATED, etc.

Express Mail Label No. ET575269245US



12/13/01  
J103 U.S. PTO

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
*(Submit an original, and a duplicate for fee processing)*
2.  Applicant claims small entity status.  
*See 37 CFR 1.27.*
3.  Specification [Total Pages 93]  
*(preferred arrangement set forth below)*
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed Sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings *(if filed)*
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.  Drawing(s) (35 U.S.C. 113) [Total Sheets 9]
5. Oath or Declaration [Total Pages ]  
 a.  Newly executed (original or copy)  
 b.  Copy from a prior application (37 CFR 1.63(d))  
*(for continuation/divisional with Box 18 completed)*
  - i.  **DELETION OF INVENTOR(S)**  
 Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)
6.  Application Data Sheet. See 37 CFR 1.76

**ADDRESS TO:** Box Patent Application  
Commissioner for Patents  
Washington, DC 20231

7.  CD-ROM or CD-R in duplicate, large table or Computer Program *(Appendix)*
8.  Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all necessary)*
  - a.  Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies); or ii.  paper
  - c.  Statements verifying identity of above copies

**ACCOMPANYING APPLICATIONS PARTS**

9.  Assignment Papers (cover sheet & document(s))
10.  37 CFR 3.73(b) Statement *(when there is an assignee)*  Power of Attorney
11.  English Translation Document *(if applicable)*
12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations
13.  Preliminary Amendment
14.  Return Receipt Postcard (MPEP 503) *(Should be specifically itemized)*
15.  Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16.  Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i) *Applicant must attach form PTO/SB/35 or its equivalent.*
17.  Other: \_\_\_\_\_

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76

 Continuation     Divisional     Continuation-in-part (CIP)    of prior application No. \_\_\_\_\_

Prior application information: Examiner \_\_\_\_\_ Group / Art Unit \_\_\_\_\_

For CONTINUATION or DIVISIONAL APPS only. The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

<input type="checkbox"/> Customer Number or Bar Code Label	26,271		or <input type="checkbox"/> Correspondence address below
Name	Melissa L. Sistrunk Fulbright & Jaworski LLP		
Address	1301 McKinney, Suite 5100		
City	Houston	State	Texas
Country	USA	Telephone	713.651.3735

Name (Print/Type)	Melissa L. Sistrunk	Registration No (Attorney/Agent)	45,579
Signature			Date December 13, 2001

**Transmittal-New Utility Patent Application**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. ET575269245US, in an envelope addressed to: Box Patent Application, Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: December 13, 2001

Signature: (Susan Hunter)

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

 Application claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$ 2,526.00)**Complete if Known**

Application Number	Not Yet Assigned
Filing Date	
First Named Inventor	Dr. James R. Lupski
Examiner Name	Not Yet Assigned
Group Art Unit	N/A
Attorney Docket No.	HO-P02086US1

**METHOD OF PAYMENT** (check all that apply)
 Check  Credit Card  Money Order  Other  None  
 Deposit Account

Deposit Account Number 06-2375  
ORDER 10026309

Deposit Account Name Fulbright & Jaworski L.L.P.

The Commissioner is hereby authorized to: (check all that apply)

- Charge fee(s) indicated below  Credit any overpayments
- Charge any additional fee(s) during the pendency of this application
- Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

**FEE CALCULATION****1. BASIC FILING FEE**

## Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	740.00
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
<b>SUBTOTAL (1)</b>		<b>(\$)</b>		<b>740.00</b>	

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	43	-20** =	23	x	18.00	=	414.00
Independent Claims	16	-3** =	13	x	84.00	=	1,092.00
Multiple Dependent					280.00	=	280.00

## Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim, if not paid	
109	84	209	42	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b>		<b>(\$)</b>		<b>1,786.00</b>	

\*\*or number previously paid, if greater; For Reissues, see above

**3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Description	Fee Paid		
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge – late filing fee or oath	
127	50	227	25	Surcharge – late provisional filing fee or cover sheet,	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive – unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify)					

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$)**

0.00

SUBMITTED BY					
Name (Print/Type)	Melissa L. Sistrunk	Registration No. (Attorney/Agent)	45,579	Telephone	(713) 651-3735
Signature	<i>Melissa L. Sistrunk</i>			Date	December 13, 2001

**Fee Transmittal**

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Dated: December 13, 2001

Signature: *Susan Hunter* (Susan Hunter)